

This document prepared by:
Suzanne Blankenship, Esquire
Coastal Association Law Group, P.L.
139 E. Government Street
Pensacola, FL 32502
(850) 466-3255
Our File No. 10-40-0058

**CERTIFICATE OF RECORDING AND FILING STATUTORY NOTICE, CHAPTER 712,
FLORIDA STATUTES, FOR INNERARITY ISLAND ASSOCIATION, INC.**

**NOTICE OF INTEREST IN
REAL PROPERTY
Chapter 712, Florida Statutes**

**INNERARITY ISLAND ASSOCIATION, INC.
908 GARDENGATE CIRCLE
PENSACOLA, FL 32505**

I, Suzanne Blankenship, attorney for Innerarity Island Association, Inc. (hereinafter
“Association”), hereby certify:

1. The following is presented for recording in the Public Records of Escambia
County, Florida, pursuant to sections 712.05 and 712.06, Florida Statutes, by Brooke
Agers, president and director and Ray Moody, director, of Innerarity Island Association,
Inc., on behalf of the Association, to preserve and protect an interest in real property from
extinguishment under the Marketable Record Title Act:

- a. Statutory Notice, Chapter 712, Florida Statutes for Innerarity Island
Association, Inc.; and
- b. Affidavit of Ray Moody;

2. The Association is filing and recording this certificate based upon unanimous
approval of the members of the board of directors of Innerarity Island Association, Inc. at
its September 20, 2015 meeting.

Dated this 1st day of October, 2015.

Witnesses:

Jenice C. Jones
Print Name: Jenice C. Jones

Suzanne Blankenship
Suzanne Blankenship

Tammy L. Kelly
Print Name: Tammy L. Kelly

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 1st day of October, 2015, by Suzanne Blankenship, Esquire, attorney for Innerarity Island Association, Inc.

personally known OR
 produced _____ as identification

Tammy Lynn Kelly
NOTARY PUBLIC
Print Name: Tammy Lynn Kelly
Commission Number _____
My Commission Expires: _____



STATUTORY NOTICE
Chapter 712, Florida Statutes

INNERARITY ISLAND ASSOCIATION, INC.
908 GARDENGATE CIRCLE
PENSACOLA, FL 32504

STATEMENT OF MARKETABLE TITLE ACTION

The Innerarity Island Association, Inc. (the "Association") has taken action to ensure that the Declaration of Covenants, Conditions and Restrictions for Innerarity Shores, recorded in Official Records Book 2516, Page 497 of the Public Records of Escambia County, Florida, as may be amended from time to time, currently burdening the property of each and every member of the Association holding title to a Lot in Innerarity Shores, retains its status as the source of marketable title with regard to the transfer of a member's residence. To this end, the Association shall cause the notice required by chapter 712, Florida Statutes, to be recorded in the public records of Escambia County, Florida. Copies of this notice and its attachments are available through the Association pursuant to the Association's governing documents regarding official records of the Association.

DESCRIPTION OF ALL LAND AFFECTED BY NOTICE

All of the Lots in Innerarity Shores, a subdivision of a portion of Innerarity Island in Escambia County, Florida, according to plat recorded in Plat Book 13 at Page 79, 79A of the Public Records of Escambia County, Florida.

Attached hereto and incorporated herein as Exhibit "A" is a certified copy of that certain Declaration of Covenants, Conditions and Restrictions for Innerarity Shores, recorded in Official Records Book 2516, Page 497, of the Public Records of Escambia County, Florida, to be preserved.

Witnesses:

INNERARITY ISLAND ASSOCIATION,
INC.

LeAnn Whitner
Print Name: LeAnn Whitner

By: Brooke B Agers

Denise Choron
Print Name: Denise Choron

Its: President

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 22 day of Sept, 2015, by Brooke Agers, president for Innerarity Island Association, Inc.

personally known OR
produced as identification

Tracy Campbell
NOTARY PUBLIC
Print Name: Tracy Campbell
Commission Number FF 224262
My Commission Expires: Aug 18, 2019



ORBOOK 251876 497

17.00 x 2.50

RECEIVED

DEPT. OF PUBLIC WORKS

JAN 5 - 1987 P.M.

18|19|10|11|12|11|12|13|14|15|16

Prepared by:
Thurston A. Shell, of
SHELL, FLEMING, DAVIS & MENGE
Seventh Floor Seville Tower
Post Office Box 1831
Pensacola, Florida 32598

STATE OF FLORIDA
COUNTY OF ESCAMBIA

**DECLARATION OF COVENANTS,
CONDITIONS, AND RESTRICTIONS**

THIS DECLARATION made and entered on this 23 day of December, 1987, by INNERARITY ISLAND DEVELOPMENT CORPORATION, a Florida corporation, hereafter referred to as "Declarant", WITNESSETH:

WHEREAS, Declarant is the owner of the following described property in Escambia County, Florida:

All of the Lots in Innerarity Shores, a subdivision of a portion of Innerarity Island in Escambia County, Florida, according to plat recorded in Plat Book 13 at page 79, 79A of the public records of Escambia County, Florida.

which property is already subject to covenants and restrictions applicable to the whole of Innerarity Island, and Declarant desires to supplement the existing covenants and restrictions for the purpose of protecting the value and the desirability of the subdivision.

NOW THEREFORE, Declarant declares that all of the property described above shall be held, sold, and conveyed subject to the following additional restrictions, covenants, and conditions, which are for the purpose of protecting the value and desirability of, and which shall run with, the real property and be binding on all parties having any right, title, or interest therein, their heirs, successors, and assigns, and which shall inure to the benefit of each Owner thereof.

**ARTICLE I
DEFINITIONS**

Section 1. "Association" shall mean and refer to Innerarity Island Association, Inc., a Florida corporation not for profit, its successors and assigns.

Section 2. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of a fee simple title to any Lot which is a part of the Properties, as well as the contract purchaser under a contract for deed, but excluding those having such interest merely as security for the performance of an obligation.

Section 3. "Properties" shall mean and refer to that certain real property described above.

Section 4. "Common Area" shall mean all real property according to plat of the subdivision, including the improvements thereto, owned by the Association for the common use and enjoyment of the Owners of Innerarity Shores subdivision. The Common Area to be owned by the Association at the time of the conveyance of the first Lot is the private roadway known as North Shore Road as shown on the subdivision plat. Said Common Area shall be subject to easements which are hereby retained by the Declarant for the furnishing of utility service, including water, sanitary sewer service, storm sewer service, electricity, cable TV, telephone service, gas service and other utility services, and Declarant reserves the right to grant to others easements on, under and across the Common Area.

EXHIBIT
tabbies
A

**ARTICLE II
USE RESTRICTIONS**

In addition to the existing use restrictions covering all of Innerarity Island, the following restrictions are adopted and in the event of conflict between these restrictions and those encumbering the rest of the Island the most restrictive of the two shall govern.

Section 1. Location of Improvements. No structure may be located nearer to the front or side street line than the building setback line as shown on the recorded plat. In the absence of a building setback line on the plat, no structure may be located nearer than 30 feet from the front street line nor 15 feet from the side street line. Interior side lot line clearances on both sides shall be at least 10% of the lot width at the building setback line and for non-waterfront lots shall be at least 10 feet from the rear (non-street) lot line and for waterfront lots shall be at least 50 feet from the mean high water mark. Notwithstanding these setback requirements, the owner of a waterfront lot shall be allowed to construct a home with at least 2200 square feet of first floor living area plus a porch, even if these setback requirements cannot be complied with in doing so, and an automatic waiver will be granted to accommodate such construction. In the event more than one lot is devoted to or utilized for a single family residence, the building lines may be modified by the Association and appropriate setbacks and side and rear lot line clearances promulgated by an instrument in writing signed by the president or a vice president of the Association.

Section 2. Pools, Decks, Patios, Terraces, Walkways, etc. Pools, decks, patios, terraces, walkways, and other similar structures at or near ground level may be constructed and maintained provided they are first approved by instrument in writing from Innerarity Island Association, Inc., it being the intent hereof that all structures so approved and constructed shall be near ground level and with sufficient side, front and back line clearance so that they shall not constitute an annoyance to the neighbors.

Section 3. Detached Buildings. No detached buildings, garages or greenhouses shall be permitted. Every allowable building shall be attached to the main structure.

Section 4. Boathouses and Docks. Any improvements or construction lying between the building line as shown on plat and the waters of Perdido Bay, including those at or near the shore line consisting of the construction of retaining walls, the sea walls, groins, piers, docks and boathouses and any construction in grading to raise or lower the existing ground level including filling or dredging at or near the shore line must receive the prior approval of Innerarity Island Association, Inc., in addition to the approval of any governmental agency or agencies having jurisdiction over such matters, and Innerarity Island Association, Inc. is granted the absolute right to deny the approval of plans for the construction of any such improvements and to prohibit said construction and installation thereof.

Section 5. Fences and Hedges. No fence may be constructed nearer to the street than the corner of the house furthest from the street and fences shall not be constructed in excess of six (6') feet in height; however, this shall not prohibit the maintenance of a growing fence or hedge not exceeding three (3') feet in height.

Section 6. Size Requirements. For Blocks E, F, G, and H, no residential structure shall be erected, placed or allowed to remain on said property with a base floor living area, being the first floor at or above the minimum floor elevation required under federal regulations and local ordinances for flood insurance purposes, of less than 2,200 square feet. The construction of an additional floor of living area shall not affect the requirement for a minimum 2,200 square feet on the main living floor.

For Blocks A, B, C, and D, no residential structure shall be erected, placed or allowed to remain on said property with a base floor living area, being the first floor at or above the minimum floor elevation required under federal regulations and local ordinances for flood insurance purposes, of less than 1,800 square feet. The construction of an additional floor of living area shall not affect the requirement for a minimum 1,800 square feet on the main living floor.

Living area shall be that area fully enclosed exclusive of garages, porches, decks, patios, greenhouses, carports, and other area containing non-living area.

Section 7. Ground Floor Area. There shall be no exposed pilings underneath the main structure and the ground floor walls shall consist of walls sometimes referred to as break-away walls which will be easily detached by flood in order to protect the remaining structure.

Section 8. Animal Pens or Runs. Animal pens or runs must be kept clean and odor free at all times. No animals or fowls shall be allowed except dogs, cats, and other commonly allowed household pets, and no such animals shall be kept or maintained in such number or in such manner as to interfere or annoy the neighbors. All animal pens or runs must be approved prior to construction by Innerarity Island Association, Inc. and the Association is given the right to absolutely deny said runs or pens if it decides to do so.

Section 9. Waiver Rights. Innerarity Island Association is granted the right to waive compliance with any of these restrictions upon vote of the Association provided the Association determines in writing that the proposed waiver will not interfere with or adversely affect any of the other lots in the subdivision.

ARTICLE III GENERAL PROVISIONS

Section 1. Enforcement. The Association, or an Owner, shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration, as well as all currently existing restrictive covenants affecting the development. Failure by the Association or by any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter. The owner of each lot shall be required to belong to the Association.

Section 2. Severability. Invalidation of any one of these covenants or restrictions by judgment or court order shall in no wise affect any other provisions which shall remain in full force and effect.

Section 3. Amendment. The covenants and restrictions of this Declaration shall run with and bind the land for a term of twenty (20) years from the date this Declaration is recorded, after which time they shall be extended automatically for successive periods of ten (10) years. This Declaration may be amended by an instrument signed by Owners of not less than seventy-five percent (75%) of the Units.

Section 4. In no event and under no circumstances shall a violation of any covenant or restriction herein contained work a forfeiture or reverter of title.

ARTICLE IV ASSESSMENT FOR LIGHTING

Section 1. The cost of power, maintenance and administration for the overhead lighting in Innerarity Shores shall be assessed

OR.603K 25:16pc 500

by the Association equally to each lot in the subdivision. The initial assessment shall be \$10.00 annually and shall constitute a lien on the lots assessed and may be enforced as are other assessments on Innerarity Island. At such time as the Association accepts direct liability for the lighting, this assessment shall no longer be in effect.

IN WITNESS WHEREOF, INNERARITY ISLAND DEVELOPMENT CORPORATION has caused this instrument to be executed by its President and its corporate seal to be affixed hereto this the day and year first above written.

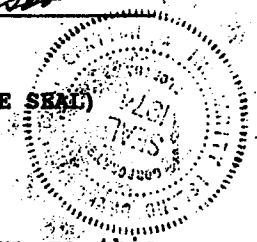
Signed, sealed and delivered in the presence of:

INNERARITY ISLAND DEVELOPMENT CORPORATION

1. Cynthia S. Massey
Mary L. McLeary

By Fayette Dennison
Its President

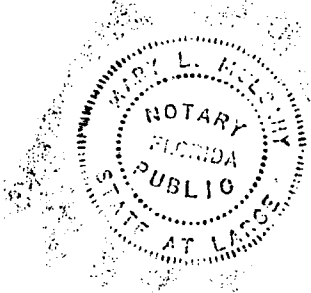
(CORPORATE SEAL)



STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 23rd day of December, 1987, by Fayette Dennison, as President of INNERARITY ISLAND DEVELOPMENT CORPORATION, a Florida corporation, on behalf of said corporation.

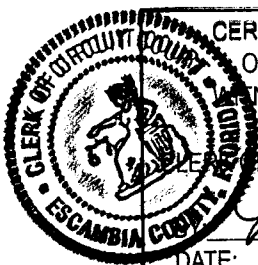
Mary L. McLeary
Notary Public
My commission expires: 10/10/91



FILED AND RECORDED IN THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA
FEB 24 8 32 AM '88
IN SOON & PAYEE NOTES AS PER THE CLERK OF COURT, ESCAMBIA COUNTY, FLORIDA

614165

CERTIFIED TO BE A TRUE COPY OF THE ORIGINAL ON FILE IN THIS OFFICE
WITNESS MY HAND AND OFFICIAL SEAL
PAM CHILDERS
CLERK OF THE CIRCUIT COURT & COMPTROLLER
ESCAMBIA COUNTY, FLORIDA
Mary L. McLeary
DATE: 9/25/85



AFFIDAVIT

STATE OF FLORIDA
COUNTY OF ESCAMBIA

BEFORE ME, the undersigned Notary Public, in and for the County and State aforesaid, personally appeared Ray Moody, who, being by me first duly sworn, deposes and says:

1. Affiant is a member of the board of directors of Innerarity Island Association, Inc. ("Association"). He is over the age of twenty-one, has personal knowledge of the matters set forth herein, and is authorized and competent to testify thereto.

2. Affiant affirms that at least 7 days before the September 20, 2015 board of directors' meeting, the Association caused a notice and statement to be mailed or hand-delivered by Ray Moody to the members of the Association stating the meeting time and place and containing a statement of marketable title action in substantially the form of Section 712.06(1)(b), Florida Statutes.

FURTHER AFFIANT SAYETH NOT.

DATED THIS 23rd DAY OF September, 2015.

Ray Moody
RAY MOODY

The foregoing instrument was sworn to and subscribed before me this 23rd day of September, 2015, by Ray Moody, director of Innerarity Island Association, Inc. Affiant is personally known to me OR has produced _____ as identification.



Tammy Lynn Kelly
(Signature of Notary Public)
Print Name: Tammy Lynn Kelly
Notary Public, State of Florida
Commission Number _____
My Commission Expires: _____

**IDENTIFICATION OF PARCEL OWNERS AND PARCEL DESCRIPTION
INNERARITY ISLAND ASSOCIATION, INC.
INNERARITY SHORES LOTS**

OWNER NAME	PARCEL DESCRIPTION
Norma M. Huck, Trustee for Norma M. Huck Trust	Lot 1, Block A, Innerarity Shores
Daniel L. Bizzell & Rosemarie J. Bizzell	Lot 2, Block A, Innerarity Shores
Jesse B. Sousa	Lot 1, Block B, Innerarity Shores
Michael J. Kearney	Lot 2, Block B, Innerarity Shores
Joan M. Wesol	Lot 3, Block B, Innerarity Shores
Thomas C. Fant & Beth E. Fant	Lot 4, Block B, Innerarity Shores
Herbert Brown	Lot 5, Block B, Innerarity Shores
Joseph J. Wesol	Lot 1, Block C, Innerarity Shores
Jeremy S. Farber & Jami N. Farber	Lot 2, Block C, Innerarity Shores
Richard Wetzel & Beverly Wetzel	Lot 3, Block C, Innerarity Shores
Teresa Clarke	Lot 4, Block C, Innerarity Shores
Jason Paruta & Mindi Paruta	Lot 5, Block C, Innerarity Shores
Stephen L. Gray & Dorothy H. Gray	Lot 6, Block C, Innerarity Shores
Mark Frederick Nelson, Trustee & Sharron Lynn Nelson, Trustee	Lot 7, Block C, Innerarity Shores
Jamie W. Gainey & Crystal A. Gainey	Lot 8, Block C, Innerarity Shores
Hancock Bank c/o Real Estate Tax Group, LLC	Lot 9, Block C, Innerarity Shores
Gregory J. Horvath & Patricia M. Horvath	Lot 10, Block C, Innerarity Shores
Richard M. Strickland & Linda D. Strickland	Lot 11, Block C, Innerarity Shores
Xiaojian Liu & Lin Ling	Lot 12, Block C, Innerarity Shores
Kenneth M. Bolton, Jr. & Mary Elizabeth Bolton	Lot 13, Block C, Innerarity Shores
Frank Perez & Rebecca Perez	Lot 14, Block C, Innerarity Shores
TW Land & Real Estate, Inc.	Lot 15, Block C, Innerarity Shores
Jean S. Mead & Ryan Mead	Lot 16, Block C, Innerarity Shores
Evan D. Bailey	Lot 17, Block C, Innerarity Shores
Elizabeth Ann-Marie Hamilton	Lot 18, Block C, Innerarity Shores
William L. Peterson	Lot 1, Block D, Innerarity Shores
William M. Trinkle	Lot 2, Block D, Innerarity Shores
Innerarity Island Development Corporation	Lot 3, Block D, Innerarity Shores

Innerarity Island Development Corporation	Lot 4, Block D, Innerarity Shores
Frank Perez & Rebecca Perez	Lot 5, Block D, Innerarity Shores
Christopher C. Marotta & Amy K. Marotta	Lot 6, Block D, Innerarity Shores
Innerarity Island Development Corporation	Lot 7, Block D, Innerarity Shores
Innerarity Island Development Corporation	Lot 8, Block D, Innerarity Shores
Innerarity Island Development Corporation	Lot 9, Block D, Innerarity Shores
Kristine S. Horney	Lot 10, Block D, Innerarity Shores
Allan R. Koepsell & Judith C. Koepsell, Trustees	Lot 11, Block D, Innerarity Shores
Elizabeth L. Tidwell	Lot 12, Block D, Innerarity Shores
Robert J. Williams & Kathleen H. Williams	Lot 13, Block D, Innerarity Shores
Lloyd D. Carnley & Bria A. Carnley	Lot 14, Block D, Innerarity Shores
Phillip R. Rollins & Angela Raines Rollins	Lot 15, Block D, Innerarity Shores
Jonathan W. White & Melissa B. White	Lot 16, Block D, Innerarity Shores
Jonathan W. White & Melissa B. White	Lot 17, Block D, Innerarity Shores
Edward Bauer & Mary Bauer	Lot 18, Block D, Innerarity Shores
Jennie Nottingham Bass	Lot 1, Block E, Innerarity Shores
Justin C. Miller & Susan G. Miller	Lot 2, Block E, Innerarity Shores
James F. Swittenburg & Brenda Kay Swittenburg	Lot 3, Block E, Innerarity Shores
Thomas A. Lange & Maureen E. Lange	Lot 4, Block E, Innerarity Shores
Malcolm H. Tinker, Jr. & Donna S. Tinker, Life Estate & Malcolm H. Tinker, Jr. & Donna S. Tinker, Trustees	Lot 5 & 6, Block E, Innerarity Shores
William S. Scheu & Cheryl W. Scheu	Lot 7, Block E, Innerarity Shores
Daniel C. Walker III & Kimberly G. Walker	Lot 8, Block E, Innerarity Shores
Alan W. Speaker & Linda N. Speaker	Lot 9, Block E, Innerarity Shores
Laura L. Parker	Lot 10, Block E, Innerarity Shores
Arless E. Hutchinson II & Mary L. Moisant	Lot 11, Block E, Innerarity Shores
Jason W. Mooney	Lot 12, Block E, Innerarity Shores
Robert J. Popa & Venetia Popa	Lot 13, Block E, Innerarity Shores
Ray E. Moody & Virginia W. Moody	Lot 14, Block E, Innerarity Shores
Anthony D. Hobbs, Trustee & Elizabeth R. Hobbs, Trustee	Lot 15, Block E, Innerarity Shores

Eleonore Wendt	Lot 16, Block E, Innerarity Shores
Innerarity Island Development Corporation	Lot 17, Block E, Innerarity Shores
Innerarity Island Development Corporation	Lot 18, Block E, Innerarity Shores
Edgar Streckel & Karin H. Streckel	Lot 1, Block F, Innerarity Shores
Aubrey R. Monish & Nancy L. Monish	Lot 2, Block F, Innerarity Shores
Lena J. Loggins	Lot 3, Block F, Innerarity Shores
Todd N. Tipsword & Georgia Tipsword	Lot 4, Block F, Innerarity Shores
Innerarity Island Development Corporation	Lot 1, Block G, Innerarity Shores
Fred E. Smith & Patricia A. Smith	Lot 2, Block G, Innerarity Shores
Charlotte M. Smith, Trustee	Lot 3, Block G, Innerarity Shores
Edward L. Moreau & Betsy C. B. Moreau	Lot 4, Block G, Innerarity Shores
Edward Moreau	Lot 5, Block G, Innerarity Shores
Phillip S. Welte & Carol D. Welte	Lot 1, Block H, Innerarity Shores
Margaret L. Gilmore	Lot 2, Block H, Innerarity Shores
Edwin S. Ellis & Linda A. Ellis	Lot 3, Block H, Innerarity Shores
William M. Ellis & Kathryn S. Ellis	Lot 4, Block H, Innerarity Shores
Michael D. Danson & Karen Ann Beach	Lot 5, Block H, Innerarity Shores
Mary F. Walton, Trustee & Robert P. Deckert	Lot 6, Block H, Innerarity Shores
John D. Emmanuel & Patricia J. Emmanuel	Lot 7, Block H, Innerarity Shores
TW Land & Real Estate, Inc.	Lot 8, Block H, Innerarity Shores
Richard G. Sisson & Barbara W. Sisson	Lot 9, Block H, Innerarity Shores
Barbara W. Sisson	Lot 10, Block H, Innerarity Shores
Wayne L. McBrien & Heather Alicia Carman	Lot 11, Block H, Innerarity Shores
Robert Verrilli & Carol L. Rocchio	Lot 12, Block H, Innerarity Shores
Laraib	Lot 13, Block H, Innerarity Shores
Danielle A. Benedetti	Lot 14, Block H, Innerarity Shores
Rebecca Westra	Lot 15, Block H, Innerarity Shores
Edward J. Wesol, Trustee	Lot 16, Block H, Innerarity Shores
Innerarity Island Development Corporation	Lot 17, Block H, Innerarity Shores
William A. Woolington, III & Kimberly S. Woolington	Lot 18, Block H, Innerarity Shores
Wayne C. Wallace, Trustee & Marsha R. Wallace, Trustee	Lot 19, Block H, Innerarity Shores
Innerarity Island Development Corporation	Lot 20, Block H, Innerarity Shores

Innerarity Island Development Corporation	Lot 21, Block H, Innerarity Shores
Innerarity Island Development Corporation	Lot 22, Block H, Innerarity Shores
Michael E. Mark	Lot 23, Block H, Innerarity Shores
Karen Ann Loeffel	Lot 24, Block H, Innerarity Shores
Kevin D. Laye & Kimberley A. Laye	Lot 25, Block H, Innerarity Shores
Qualified Exchange Titleholder, LLC	Lot 26, Block H, Innerarity Shores